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**TO: EXAMINER FLEMMING SAETHER
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FROM: Sender Name: Michael A. Rodriguez (Reg. No. 41,274)

Number of Pages INCLUDING This Cover Sheet : 8

DATE: December 29, 2004

RE: Response to non-final Office Action Dated September 30, 2004

Application Serial No.: 10/812,266

Attorney Docket No. EMC-012 (EMC-04-014)

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DEC 29 2004

Atty. Docket No. EMC-012 (EMC-04-014)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Silvestro et al. CONFIRMATION NO. 2765
SERIAL NUMBER: 10/812,266 ART UNIT: 3677
FILING DATE: March 29, 2004 EXAMINER: Saether, Flemming
TITLE: Fastener for Use in Securing Side Rails to Round-Hole and Square-Hole
Mounting Rails of Cabinet Racks

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, addressed to Examiner Saether at (703) 872-9306 on the date shown below:

Michael A. Rodriguez



Date: December 29, 2004

Assistant Commissioner for Patents
Alexandria, VA 22313-1450

Amendment and Response

Sir:

This paper responds to the non-final Office Action mailed from the United States Patent and Trademark Office on September 30, 2004.

Claim Amendments begin on page 2; and.

Remarks begin on page 5.